

REMARKS

Claim 1 has been amended to include the limitations previously set forth in claims 2, 3, 4 and 5. Claims 2, 3, 4, and 5 have been cancelled.

In amended Claim 1, the positioning bracket in accordance with the present invention has:

two ends and two locking sheets respectively formed on the two ends of the positioning bracket, each locking sheet has a hole defined through the locking sheet and two end brackets are formed on the base to engage respectively with the locking sheets, each end bracket has a locking hole defined in the end bracket to align with the hole in a corresponding one of the locking sheets to engage with the locking sheet via a locking pin so as to secure the positioning bracket on the base;

wherein the positioning bracket is a long strip with a middle portion and has a strong post with a channel;

a locking hole is defined on the base to align with the channel; and

a long locking pin extends through the channel and the locking hole to securely hold the middle portion of the positioning bracket on the base to avoid the positioning bracket from deformation.

It is respectfully submitted that amended claim 1 is clearly and patentably distinguished over the cited patent 5,988,382 ('382). To be more specific, there is no disclosure or suggestion in the '382 patent that the tool suspension plate has any positioning device mounted thereon. The Examiner indicated that the element 80 is a locking sheet the same as that of the present application. However, a close review of the description of the prior art shows that the element 80 is actually a foam insert. There is no indication that the foam insert has a hole defined therein to align with a locking hole defined in the correspondence end bracket such that a locking pin is able to extend through the aligned locking hole of the end bracket and the hole of the locking sheet to

fasten the positioning bracket on the base. Accordingly, it is Applicant's contention that amended claim 1 is not anticipated by the cited reference.

In addition, the '382 patent does not disclose that the suspension plate has a channel and a locking hole defined on the base to align with the channel such that a long locking pin is able to extend through the channel and the locking hole to securely hold the middle portion of the positioning bracket on the base to avoid the positioning bracket from formation. The Manual of Patent Examining Procedures, Sec. 21, further supports applicant's position. As set forth therein:

"TO ANTICIPATE A CLAIM, THE REFERENCE MUST
TEACH EVERY ELEMENT OF THE CLAIM"

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference" (cite omitted).

"The identical invention must be shown in as complete detail as is contained in the...claim" (cite omitted).

In view of the above it is Applicant's contention that amended claim 1 is clearly and patentably distinguished over the cited art. Therefore, prompt favorable action is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (703) 837-9600 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

Application No.: 10/702,424
Amdt. dated February 7, 2006
Reply to Office Action dated October 3, 2005

Docket No.:3074/125

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 04-0753. Please credit any overpayment to deposit Account No. 04-0753. A duplicate copy of this sheet is enclosed.

Dated: February 7, 2006

Respectfully submitted,

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Attachments